

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Compeer Financial, ACA; Compeer
Financial, PCA; and Compeer Financial
FLCA,

Civ. No. 24-1896 (JWB/ECW)

Plaintiffs,

v.

**ORDER
REAPPOINTING RECEIVER**

Corporate America Lending, Inc.,

Defendant.

Receiver Scott Avila has filed an unopposed motion for reappointment to reset the 10-day period under 28 U.S.C. § 754. (Doc. No. 135.) Having reviewed the submitted materials and applicable law, the Receiver has shown good cause for reappointment.

Reappointing a receiver to correct a failure to file within 10 days is consistent with the purposes of 28 U.S.C. § 754. *See SEC v. Vision Commc'ns, Inc.*, 74 F.3d 287, 291 (D.C. Cir. 1996) (“[T]he court may reappoint the receiver and start the ten-day clock of § 754 ticking once again.”); *SEC v. Equity Serv. Corp.*, 632 F.2d 1092, 1095 (3d Cir. 1980) (“Viewing the purpose of section 754 in this light, it seems most consistent with that purpose to permit a receiver who has failed to file within the ten-day period to reassume jurisdiction by a later filing, as long as the rights of others have not been prejudiced during the intervening period.”). Plaintiffs and Defendant both consent to reappointment. (Doc. No. 139.) Neither will be prejudiced by the reappointment, as both were present at the hearing where appointment was initially granted.

The Receiver and his team are reminded that he was appointed as an officer of this Court and is expected to comply with all terms of the appointment order.

ORDER

For these reasons, **IT IS HEREBY ORDERED** that:

1. The Motion to Reappoint Receiver (Doc. No. 135) is **GRANTED**.
2. Scott Avila is **REAPPOINTED** as Receiver under the same terms as the March 27, 2025 Order Appointing Receiver (Doc. No. 118), which is attached to this Order as Exhibit 1.
3. The Receiver shall have 10 days from the date of this Order to comply with 28 U.S.C. § 754.

Date: April 14, 2025

s/ Jerry W. Blackwell

JERRY W. BLACKWELL
United States District Judge